

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF ARIZONA

Paulette Patterson,)	
)	
Plaintiff,)	MDL Case No. 2:15-md-02641-DGC
)	
v.)	Civil Action No. CV-18-04939-PHX-DGC
)	
Bard Peripheral Vascular, Inc. and C. R.)	
Bard, Inc., et al.,)	
)	
Defendant		

PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO AMEND COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff files this Unopposed Motion, pursuant to Rule 15(a)(2), Fed. R. Civ. P., for Leave to Amend her Complaint, because:

1. This is a pharmaceutical device, product liability case in which Plaintiff seeks damages for injuries allegedly sustained as a result of a defective IVC filter, manufactured, sold, marketed and/or distributed by Defendants.
2. It has just come to Plaintiff’s counsel’s attention that Plaintiff’s last name has had, at various times in her life, another alias of “Frederic.”
3. Plaintiff seeks leave to amend her complaint, separately filed as “Plaintiff’s First Amended Complaint,” to state the correct name of Plaintiff to “
4. Pursuant to Federal Rule of Civil Procedure 15(a)(2), “a party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires.” Rule 15(a)(2); *Foman v. Davis*, 371 U.S. 178, 182 (1962).
5. No new causes of action are being introduced, and no substantive facts have changed. No depositions have been taken. Therefore, no prejudice will come to any party by allowing Plaintiff to amend her Complaint.

WHEREFORE, Plaintiff prays that this Motion be granted, that Plaintiff’s First Amended Complaint be deemed as filed, on the date of filing with this Motion, upon the Court’s

signed Order, and for such other appropriate relief.

Respectfully Submitted,
FERRER, POIROT, & WANSBROUGH

By: /s/John T. Kirtley, III
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Certificate of Conference

Counsel for Plaintiff/Movant has communicated with Counsel for Defendant/Respondent to resolve the matters presented in this Motion. Counsel for Defendants stated he is Unopposed to same.

/s/John T. Kirtley, III
John T. Kirtley, III

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing instrument has been provided to all counsel of record in this cause via ECF and/or any other method authorized by the Federal Rules of Civil Procedure, on this the 4th day of February, 2019.

/s/John T. Kirtley, III
John T. Kirtley, III